

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:08-cr-00009-TWP-VTW
)	
JERRY DALE ADAMS (01),)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On March 24, 2017, the Court held an Initial Appearance on a Warrant for a Supervised Release Violation. Defendant Adams appeared in person with his appointed counsel John Goodridge. The government appeared by Assistant United States Attorney Todd Shellenbarger. U.S. Probation appeared by Officer Jessica Campbell.

On April 24, 2017, the Court held the Final Revocation Hearing. Defendant Adams appeared in person and with counsel John Goodridge. The government appeared by Assistant United States Attorney Todd Shellenbarger. U.S. Probation appeared by Officer Katrina Sanders.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court provided Adams with a copy of the petition, read the alleged violations and revocation parameters and advised Adams of his rights.
2. Defendant Adams admitted to violations #1, #2, and #3 [\[Docket No. 37\]](#).
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

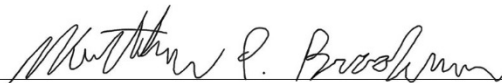
	Violation Number	Nature of Noncompliance
	1	<p>"The defendant shall not possess any pornography, erotica, or nude images. Any such material found in the defendant's possession shall be considered contraband and may be confiscated by the probation officer."</p> <p>On November 7, 2016, the offender admitted he accessed his son's computer with Internet access and viewed pornography.</p> <p>On March 9, 2017, the offender admitted to watching certain television series' that he considered to be pornographic in nature.</p>
	2	<p>"The defendant shall participate in a program of treatment for sexual disorders, including periodic polygraph examinations, as directed by the probation officer. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer."</p> <p>The offender was discharged from treatment due to violations which include having telephone contact with his grandchildren and receiving texts and pictures with his grandchildren after he was told to have no contact with them. The offender admitted to viewing pornography on his son's cell phone as well as using television shows for self-gratification that contain images of children.</p>
	3	<p>"The offender shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer."</p> <p>On November 7, 2016, the offender admitted he spent the night at his son's house after the probation officer told him he was not allowed.</p>

4. The parties jointly recommended that defendant be continued on Supervised Release, but that his conditions of release be amended to add that he be placed in the Volunteers of America for a term of 1 year. The conditions of release shall be modified to include: no contact with any minors, including his granddaughter; no contact with his son and daughter in law; and the defendant shall return to previously ordered sex offender treatment.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that he be continued on supervision, but that his supervised release conditions should be modified to include additional conditions including that the defendant reside at the Volunteers of America for a period of 1 year. The Defendant is to report to the Volunteers of America immediately pending the District Judge's action on this Report and Recommendation.

The parties are hereby notified that the District Court Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Court Judge.

Dated: April 26, 2017


Matthew P. Brookman
United States Magistrate Judge
Southern District of Indiana

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